Claim Rejections Under 35 U.S.C. §102

The Examiner has rejected claims 1, 7-9 and 15-16 under 35 U.S.C. §102(e) as being anticipated by Reeder (U.S. Patent No. 5,852,812).

With respect to claim 1, the Examiner states that Reeder discloses a charging system for electronic commerce, which comprises a service provider terminal providing service for a user via network by a request from a user terminal, the system charging a fee on the user corresponding to said service (see abstract), comprising:

a charge collection terminal for collection a fee from said user, which fee is reflected on said service provided by said service provider terminal (figure 1, item 20 and column 5, lines 25-32),

the charge collection terminal existing individually from said service provider terminal (figure 1, item 20).

The Examiner's rejection of claim 1 is respectfully traversed. It is respectfully submitted that the Examiner is in error in regard to the teachings of Reeder. In particular, Reeder teaches a *billing* system, not a charging system as claimed by applicant. Reeder is directed toward real-time processing of billable events which allows a system to *post* charges to a customer's on-line charge statement quickly following generation of a billable event. In contrast, according to applicant's invention as set forth in claim 1, a charge collection terminal actually collects a fee from said user.
As explained in the specification at page 4, lines 11-16, a bank 3 collects the fee from the user 1 in response to the request from the service provider 2. As understood, Reeder does not teach, suggest or indicate such a fee collection. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 1 is not anticipated by Reeder.

With respect to claim 7, the Examiner states that Reeder discloses charging system for electronic commerce, wherein:

said service provider terminal charges a fee to said user based on time period providing said service to the user (column 1, lines 20-37).

The Examiner's rejection of claim 7 is respectfully traversed. For the reasons set forth above with respect to claim 1, from which claim 7 directly depends, it is respectfully submitted that applicant's invention as set forth in claim 7 is not anticipated by Reeder.

With respect to claim 8, the Examiner states that Reeder discloses charging system for electronic commerce, wherein:

said service provider terminal charges a fee to said user base on contents provided to the user (column 1, lines 28-34).

The Examiner's rejection of claim 8 is respectfully traversed. For the reasons set forth above with respect to claim 1, from which claim 8 directly depends, it is respectfully submitted that applicant's invention as set forth in claim 8 is not anticipated by Reeder.

With respect to claim 9, the Examiner states that Reeder discloses a method of charging for electronic commerce, service provider terminal providing service for a user via network by a request from a user terminal, and charging a fee on the user corresponding to said service, comprising steps of that:

collection a charged fee from said user by a charge collection terminal, which fee is reflected on said service provided by said service provider terminal (column 6, line 65-column 7, line 5), wherein:

the charge collection terminal is provided individually from said service provider terminal (figure 1, item 20 and column 5, lines 25-32).

The Examiner's rejection of claim 9 is respectfully traversed. It is respectfully submitted that the Examiner is in error in regard to the teachings of Reeder. In particular, Reeder teaches a method of *billing*, not a method of charging as claimed by applicant. Reeder is

directed toward real-time processing of billable events which allows a system to *post* charges to a customer's on-line charge statement quickly following generation of a billable event.   In contrast, according to applicant's invention as set forth in claim 9, a charge collection terminal actually collects a fee from said user.

As explained in the specification at page 4, lines 11-16, a bank 3 collects the fee from the user 1 in response to the request from the service provider 2. As understood, Reeder does not teach, suggest or indicate such a fee collection. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 9 is not anticipated by Reeder.

With respect to claim 15, the Examiner states that such claim contains the same limitations as in claim 7, therefore, the same rejection is applied.

The Examiner's rejection of claim 15 is respectfully traversed. For the reasons set forth above with respect to claim 9, from which claim 15 directly depends, it is respectfully submitted that applicant's invention as set forth in claim 15 is not anticipated by Reeder.

With respect to claim 16, the Examiner states that such claim contains the same limitations as in claim 8, therefore, the same rejection is applied.

The Examiner's rejection of claim 16 is respectfully traversed. For the reasons set forth above with respect to claim 9, from which claim 16 directly depends, it is respectfully submitted that applicant's invention as set forth in claim 16 is not anticipated by Reeder.

Claim Rejections Under 35 U.S.C. §103(a)

The Examiner has rejected claims 2-3 and 10-11 under 35 U.S.C. §103(a) as being unpatentable over Reeder (U.S. Patent No. 5,852,812) in view of Walsh (U.S. Patent No. 5,696,824).

With respect to claim 2, the Examiner states that Reeder discloses charging system for electronic commerce, wherein:

said user terminal generates service request data and transmits them via network to said service provider terminal, the service request data is for requesting desired service of the user to said service provider terminal (figure 4, item 121 and column 6, lines 19-32); and

said service provider terminal transmits charged fee data calculated base on said service request data to said charge collection terminal, and transmits said service request data to said charge collection terminal responding to request of said user (column 6, line 65, -column 7, line 5).

The Examiner concedes, however, that Reeder does not disclose:

said user terminal generates digital signature data and transmits it via network to service provider terminal; and the digital signature data is created based on said service request data.

said service provider terminal transmits digital signature data to said charge collection terminal.

The Examiner further states that Walsh discloses:

said user terminal generates digital signature data and transmits it via network to service provider terminal (column 10, lines 40-60); and the digital signature data is created based on said service request data (column 10, lines 50-60).

said service provider terminal transmits digital signature data to said charge collection terminal (column 10, line 60-column 11, line 8).

The Examiner concludes that it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine Reeder's charging system with digital signature as in Walsh because it would improve the system of Reeder. The Examiner reasons that information such as account numbers, password, credit card numbers are often easy for unauthorized persons to obtain, and that, therefore, the user can encrypt identifying information into

digital signature data for more security when transmitting information over the network.

For the reasons set forth above with respect to claim 1, from which claim 2 directly depends, the Examiner's rejection of claim 2 is respectfully traversed. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 2 would not have been obvious at the time the invention was made to a person having ordinary skill in the art over Reeder in view of Walsh.

With respect to claim 3, the Examiner states that Walsh discloses said digital signature data is created only by said user (column 10, lines 45-50).

For the reasons set forth above with respect to claim 2, from which claim 3 directly depends, it is respectfully submitted that applicant's invention as set forth in claim 3 would not have been obvious at the time the invention was made to a person having ordinary skill in the art over Reeder in view of Walsh.

With respect to claim 10, the Examiner states that such claim has the same limitations as in claim 2, therefore, the same rejection is applied.

For the reasons set forth above with respect to claim 9, from which claim 10 directly depends, the Examiner's rejection of claim 10 is respectfully traversed. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 10 would not have been obvious at the time the invention was made to a person having ordinary skill in the art over Reeder in view of Walsh.

With respect to claim 11, the Examiner states that such claim has the same limitations as in claim 3, therefore, the same rejection is applied.

The Examiner's rejection of claim 11 is respectfully traversed. For the reasons set forth above with respect to claim 10, from which claim 11 directly depends, it is respectfully submitted that applicant's invention as set forth in claim 11 would not have been

obvious at the time the invention was made to a person having ordinary skill in the art over Reeder in view of Walsh.

The Examiner has rejected claims 4-5 and 12-13 under 35 U.S.C. §103(a) as being unpatentable over Reeder (U.S. Patent No. 5,852,812) in view of Walsh (U.S. Patent No. 5,696,824) and Takaragi et al. (U.S. Patent No. 5,018,196).

With respect to claim 4, the Examiner states that Reeder discloses charging system for electronic commerce, wherein:

said user terminal generates service request data and transmits them via network to said service provider terminal, the service request data is for requesting desired service of the user to said service provider terminal (figure 4, item 121 and column 6, lines 19-32);

said user terminal comprised memory medium which stores said service request data (figure 1, item 10);

The Examiner concedes, however, that Reeder does not disclose:

said user terminal generates digital signature data and transmits them via network to said service provider terminal; and the digital signature data is created based on said service request data;

when the user has objection against the charge, in case of happening charged fee collection notice from said charge collection terminal, the user enables to send said memory medium to said charge collection terminal, and the charge collection terminal enables to read out said service request data and said digital signature data from said memory medium to confirm.

The Examiner further states that Walsh discloses:

said user terminal generates digital signature data and transmits them via network to said service provider terminal (column 10, lines 40-60); and the digital signature data is created based on said service request data (column 10, lines 50-60);

The Examiner, moreover, states that Takaragi et al. disclose:

when the user has objection against the charge, in case of happening charged fee collection notice from said charge collection

terminal, the user enables to send said memory medium to said charge collection terminal, and the charge collection terminal enables to read out said service request data and said digital signature data from said memory medium to confirm (column 11, lines 52-63).

The Examiner concludes that it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the charging system of Reeder with digital signature as in Walsh and the step of sending memory medium as in Takaragi et al. because it would improve the system of Reeder by allowing the user to create digital signature data and transmit it to service provider over the network for more security. The Examiner, moreover, concludes that when service provider charges a user a more amount than an amount to be charged properly, user can submit request data and digital signature data stored in memory medium to the bank for correcting it.

For the reasons set forth above with respect to claim 1, from which claim 4 directly depends, the Examiner's rejection of claim 4 is respectfully traversed. In addition, it is respectfully submitted that the Examiner is in error in regard to the teachings of Takaragi et al. The Examiner alleges that Takaragi et al. disclose that when the user has objection against the *charge*, in case of happening charged fee collection notice from said charge collection terminal, the user enables to send said memory medium to said charge collection terminal, and the charge collection terminal enables to read out said service request data and said digital signature data from said memory to confirm. It is respectfully submitted that, as understood, Takaragi et al. do not teach, suggest or indicate any type of charge or funds transfer. Takaragi et al. is directed toward the exchange of digital *signatures* in relation to a contract document. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 4 is patentable over Reeder in view of Walsh and Takaragi et al.

With respect to claim 5, the Examiner states that Walsh discloses charging system for electronic commerce, wherein: said

digital signature data is created only by said user (column 10, lines 45-50).

The Examiner's rejection of claim 5 is respectfully traversed. For the reasons set forth above with respect to claim 4, from which claim 5 directly depends, it is respectfully submitted that applicant's invention as set forth in claim 5 would not have been obvious at the time the invention was made to a person having ordinary skill in the art over Reeder in view of Walsh and Takaragi et al.

With respect to claim 12, the Examiner states that such claim has the same limitation as in claim 4, and, therefore, applies the same rejection.

For the reasons set forth above with respect to claim 9, from which claim 12 directly depends, the Examiner's rejection of claim 12 is respectfully traversed. In addition, it is respectfully submitted that the Examiner is in error in regard to the teachings of Takaragi et al. The Examiner alleges that Takaragi et al. disclose that when the user has objection against the *charge*, in case of happening charged fee collection notice from said charge collection terminal, the user enables to send said memory medium to said charge collection terminal, and the charge collection terminal enables to read out said service request data and said digital signature data from said memory to confirm. It is respectfully submitted that as understood Takaragi et al. do not teach, suggest or indicate any type of charge or funds transfer. Takaragi et al. is directed toward the exchange of digital *signatures* in relation to a contract document. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 4 is patentable over Reeder in view of Walsh and Takaragi et al.

With respect to claim 13, the Examiner states that such claim has the same limitation as in claim 5, therefore, applies the same rejection.

The Examiner's rejection of claims 13 is respectfully traversed. For the reasons set forth above with respect to claim 12, from which claim 13 directly depends, it is respectfully submitted

that applicant's invention as set forth in claim 13 would not have been obvious at the time the invention was made to a person having ordinary skill in the art over Reeder in view of Walsh and Takaragi et al.

The Examiner has rejected claim 6 and 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Reeder (U.S. Patent No. 5,852,812), Walsh (U.S. Patent No. 5,696,824) and Takaragi et al. (U.S. Patent No. 5,018,196) and further in view of Mizutani et al. (U.S. Patent No. 4,823,388).

With respect to claim 6 the Examiner concedes that Reeder, Walsh and Takaragi et al. do not disclose charging system for electronic commerce, wherein:

said service request data stored once in said memory medium is impossible to rewrite.

The Examiner states, however, that Mizutani et al. disclose:

said service request data stored once in said memory medium is impossible to rewrite (column 2, lines 30-43).

The Examiner concludes that it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the charging system of Reeder, Walsh and Takaragi et al. with memory medium as in Mizutani et al. because it would improve their system. The Examiner further concludes that the user can store service request data once in memory medium and make it cannot be rewritten in order to ensure the security.

For the reasons set forth above with respect to claim 4, from which claim 6 directly depends, the Examiner's rejection of claim 6 is respectfully traversed. In addition, it is respectfully submitted that the Examiner is in error in regard to the teachings of Mizutani et al. The Examiner alleges that Mizutani et al. disclose (at column 2, lines 30-43) that said service request data stored once in said memory medium is impossible to rewrite. It is respectfully submitted that as understood, Mizutani et al. do not teach, suggest or indicate any such storage of *service request data*. Mizutani et al. is directed

toward a communications network using an enciphering and deciphering device. As understood, the data which is stored in such a way that it cannot be rewritten is *key data* for enciphering and deciphering, where the key data includes a key word peculiar to a customer. In contrast, in applicant's claimed invention, the stored data which is impossible to rewrite is service request data. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 6 is patentable over Reeder, Walsh, and Takaragi et al. and further in view of Mizutani et al.

With respect to claim 14, the Examiner states that such claim has the same limitation as in claim 6, therefore, the same rejection is applied.

For the reasons set forth above with respect to claim 6, the Examiner's rejection of claim 14 is respectfully traversed. It is, therefore, respectfully submitted that applicant's invention as set forth in claim 14 patentable over Reeder, Walsh, and Takaragi et al. and further in view of Mizutani et al.

In view of the above, it is respectfully submitted that the application is now in condition for allowance. The Examiner's reconsideration and further examination are respectfully requested.

Respectfully submitted,

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